

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

WISCONSIN ELECTRIC POWER COMPANY,

Plaintiff,

Case No. 06-C-515

-vs-

UNION PACIFIC RAILROAD COMPANY,

Defendant.

ORDER

Plaintiff Wisconsin Electric Power Company and Defendant Union Pacific Railroad Company have submitted a Joint Stipulation Regarding Expert Discovery (doc. #20). The Court hereby APPROVES this Joint Stipulation and ORDERS that:

1. No party shall seek discovery, by document requests, depositions, or otherwise, into:
 - (a) Oral or written communications exclusively between an expert (or persons employed by the expert or his or her firm) and counsel on or after the filing of the Complaint herein on April 25, 2006, and related to the expert's report or opinions in this litigation, except for (i) communications in which counsel conveys factual information considered by the expert in developing his or her opinions in the case and (ii) communications concerning the terms on which the expert has been retained, the terms on which the expert will be compensated, and the amount of any compensation paid or owed to the expert; or

- (b) Notes or drafts of an expert (or persons employed by the expert or his or her firm) prepared on or after the filing of the Complaint herein on April 25, 2006, and related to the expert's report or opinions in this litigation, except for (i) notes of interviews or discussions conveying facts considered by the expert in forming his or her opinions in the case, (ii) notes from an on-site inspection of any opposing party's facilities, and (iii) notes or drafts reflecting any portion of calculations that are relied upon by the expert in support of his or her opinions and are not otherwise fully disclosed (including without limitation documents needed to disclose input data, the preparation of input data, outputs, and each step in the calculations).

Dated at Milwaukee, Wisconsin, this 3rd day of January, 2007.

SO ORDERED,

s/ Rudolph T. Randa
HON. RUDOLPH T. RANDA
Chief Judge